

MINUTES OF THE  
JOINT HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE  
Wednesday, January 24, 2007 - 2:00 p.m.  
Room W135, West Office Building, State Capitol Complex

Member Present: Sen. Allen Christensen, Committee Co-Chair  
Rep. Merlynn Newbold, Committee Co-Chair  
Sen. Chris Butters  
Sen. Peter Knudson  
Sen. Ross Romero  
Rep. David Litvack  
Rep. Roz McGee  
Rep. Paul Neuenschwander  
Rep. Steve Urquhart  
Rep. Paul Ray  
Rep. Ken Sumsion

Staff Present: William Greer, Fiscal Analyst  
Debbie Headden, Fiscal Analyst  
Norda Shepard, Secretary

Public Speakers Present: Rep. Douglas Aagard  
Rep. Bradley M. Daw  
Stuart Merrill, President, Campaign to End Aids Utah  
Julie Day, M.D., University of Utah Medical Center  
Eileen Chamberland, Chairman, Interagency Coordinating Council  
Tamera Lewis, M.D., Intermountain Health Care  
Peter Nichol, M.D., Primary Children's Medical Center  
Susan Olsen, Executive Director, Utah State University  
Orvil Stokes, Executive Director, Weber School District  
Stephen Schubach, Opticare of Utah  
Aaron Schubach, Opticare of Utah  
Stephen McDonald, Director of Program Services, March of Dimes  
Kevin Morris, PhD, Executive Director, DDI Vantage  
Kim Simon, Parent  
Ryan Bott, Parent  
Sheila Walsh-McDonald, Salt Lake Community Action Program and MCAC  
Dave Gessel, Vice President, Utah Hospital and Health Systems Association  
Bill Barnes, Primary Children's Medical Center  
Pamela Atkinson, Community Advocate  
Catherine Wheeler, M.D., Utah Medical Association  
Stuart Collier, Executive Director, Kids on the Move  
Tandi Cichoski, Parent  
Lisa A. Madsen, Parent  
Susan Gale, Parent  
Diana Matkin, Parent  
Jenny Simmons, Parent  
Eric Sevy, Parent  
Mark Elliott, Parent  
Dexter Pearce, Community Health Centers, Inc.  
Keith Howard, M.D., Medical Director, Community Health Centers, Inc.  
Lynn Hudgens, Executive Director, Mountainland Community Health Center  
Gina Flanagan, Executive Director, Wayne County Community Health Center  
Ron Faeber, Parent  
Jerry Costley, Disabled Rights Action Committee

Karen Compton, Executive Director, Voices for Utah Children  
Bill Tibbitts, Director, Anti-Hunger Action Committee  
Darla Ball, Anti-Hunger Action Committee  
Bill Germundson, Anti-Hunger Action Committee  
Faina Raik, Anti-Hunger Action Committee  
Rudy Roca, Anti-Hunger Action Committee  
Kris Fawson, Legislative Coalition for People with Disabilities  
Cathy Chambless, Legislative Coalition for People with Disabilities  
Sonny McCoard, Legislative Coalition for People with Disabilities  
Peggy Larsen, United Way  
Dirk Anjewierden, Executive Director, Utah Health Care Association  
Andrew Riggle, Utah Health Policy Project  
Tom Brownlee, Advocate, Utah Developmental Disabilities Council  
Justin Olsen, Advocate, Utah Developmental Disabilities Council  
Ricki Landers, Disabled Rights Action Committee  
Ted Loosli, Disabled Rights Action Committee  
Tom Love, Vice Chairman, United Way  
Tina Persels, Parent  
Debbie Grizzle, Crossroads Urban Center  
Kenneth Roberts, Independent Living  
Greg Olsen, Chairman, Utah Oral Health Coalition  
Dennis Grill  
Lynn Larsen Miller, Granite School District  
Dee Rowland, Catholic Diocese of Utah  
Douglas Cotant  
Sean Pressey, Utah Issues  
Steve Erickson, Utah Issues

A list of visitors and a copy of handouts are filed with the committee minutes.

The meeting was called to order by Co-Chair Christensen at 2:15 p.m.

## **1. Welcome**

Co-Chair Christensen welcomed everyone and said there were many people who wished to speak and in order to accommodate as many as possible before time to adjourn at 5:00 p.m. there would be time limits. He indicated that those speaking as individuals would be allowed two minutes and those speaking on behalf of groups or organizations would be allowed five minutes.

## **2. Requests for Department of Health Related Appropriations**

Rep. Douglas Aagard, discussed H.B. 218, Utah Children's Health Insurance Program Ombudsman. He stated this bill would create an ombudsman to help families deal with the CHIP program. He said an ombudsman can help in meeting the Governor's goal of all children having health insurance. The bill would require an appropriation of \$75,000 ongoing General Fund that he would like put on the Health and Human Services priority list.

Rep. Bradley M. Daw discussed H.B. 137, Pain Medication Management and Education. He stated that some people who are injured and are prescribed pain medications become addicted. He said with more education some of this could be solved or prevented. The bill looks for funding to educate both the physicians and the public about this problem. The fiscal note is for a two year program. The funding requirement is for \$250,000 General Fund and \$250,000 GFR-Workplace Safety Account each year for two years.

Analyst William Greer distributed to subcommittee members four items: (1) a list of health related legislation with fiscal impact; (2) minutes of the Medicaid Interim Committee from January 5, 2007; (3) blank priority lists which he explained could be used for taking notes to assist in making priority lists; and (4) the Department of Health response to Sen. Buttar's request listing programs providing services to Utah's under insured.

### **3. Public Testimony Regarding Department of Health Issues**

Stuart Merrill, President, Campaign to End Aids Utah, said that with the help of the Legislature, 100% funding for Aids medication had been obtained from federal funds. He said with the help of Rep. Jim Matheson and Sen. Orrin Hatch, the decision to fund Aids was made for FY 2006 and FY 2007. This saved money and more importantly saved lives. He said he was here today to express gratitude and thank Legislators and advocates who have helped in this cause.

Dr. Julie Day from the University of Utah Medical Center said she wanted to address dental issues and advocate for restored adult dental coverage. She indicated the University's Redwood Clinic treats a number of Medicaid patients who have dental problems. She said there is a 19% increase in cardiac disease in people who have untreated periodontal disease. She said this issue needs positive consideration.

Eileen Chamberland, Chairman, Interagency Coordinating Council, said she was here to address the Baby Watch/Early Intervention request of \$2.28 million. She asked everyone who were there because of this issue to stand. Many people stood. She said Early Intervention treats special needs children from birth to three years of age and is authorized by the same law as special education which covers till age twenty-one. Money spent in Early Intervention saves money because 32% of these children's needs were addressed before age three. She indicated funding is at a critical juncture as it has not kept up with growth or inflation, especially over the past four years.

Dr. Tamera Lewis, Intermountain Health Care, said she was speaking for the Every Child by Two Immunization Task Force. She stated over the years the cost of serum has increased by 300% and state funding has stayed the same. The requested \$500,000 for vaccines will cover under insured children and help with outbreaks and disasters. Utah is one of the lowest states in immunization rates. She said she would also advocate approval of the \$1 million for anti-viral medication stockpile.

Dr. Peter Nichol, Primary Children's Hospital, said he was speaking on behalf of the Utah Birth Defect Network. He said not a day passes that a child is not born with a birth defect. He stated 1,400 children are born with birth related defects in Utah each year. He said the Network is the primary source of tracking trends, educating, and collecting data to help researchers in looking for causes. He said birth defects are financially and emotionally devastating to families and monitoring and education is very helpful. He said continued funding of the Utah Birth Defect Network is fiscally smart preventative medicine.

Susan Olsen, Program Director of Early Intervention, Utah State University, stated their program has seen an increase of 25 children with no increase in staff. She said Early Intervention is working and if children are treated before age three, many reach elementary school age and out of the system. Early Intervention is vital for success in a child's future life. She urged subcommittee members to support this request.

Orvil Stokes, Program Director Early Intervention, Weber and Morgan counties. He said Early Intervention is at a critical juncture. He said they have had an increase in children needing services but have not been able to replace staff and have had to cut services. He said he has been a program provider for twenty-eight years and now is a grandfather of a child needing Early Intervention. He urged support of this funding.

Stephen Schubach, Opticare of Utah, explained that Opticare is a private/public partnership with a proposal to restore adult vision care for Medicaid clients. He distributed a handout outlining the funding proposal.

Aaron Schubach, Opticare of Utah, explained the proposed program as outlined on the handout. He said this would

extend coverage to every county and Opticare would administer all the vision claims, eligibilities and benefits. The plan includes coverage for routine vision exams, frames, and lenses. He asked subcommittee members to consider putting \$174,000 on the priority list to cover this program.

Stephen McDonald, Director of Program Services, March of Dimes, said that birth defects are the leading cause of infant death. In Utah, 1,400 babies a year are born with birth defects, nearly four a day. He said the Birth Defect Network is needed in helping to find out why this is happening. The Governor's proposed budget of \$360,000 and the \$173,000 supplemental funding will make it possible to monitor, rate and develop preventive strategies.

Dr. Kevin Morris, Executive Director, DDI Vantage, stated he represented the providers of Early Intervention. He said the number of infants needing these services is increasing. Also, the costs of doing business continues to go up and erode the capacity of providers to administer the services under the law. Baby Watch does an excellent job in making sure funds are used effectively but cannot control growing costs. The additional \$2.28 million is a much needed increase in funding.

Rep. Urquart stated he would like to speak in support of Early Intervention and indicated he is running a bill to have a portion of the beer tax help fund Early Intervention.

Kim Simon, said her child was born critically ill and had heart surgery when only twelve hours old. Heart defects in newborns are increasing and the Birth Defect Network is helpful in tracking this. Knowing this information can help researchers to find the reasons, develop preventions, and to help educate and inform parents.

Ryan Bott stated he is the parent of a baby born with cleft lip. He said Utah leads the nation in this defect and adequate tracking of data is a requirement if we want to find answers and to why and see if there is anything we can do to prevent it happening again. He urged the subcommittee to prioritize funding for the Utah Birth Defect Network because parents need answers.

Sheila Walsh-McDonald distributed a handout from the Medical Care Advisory Committee (MCAC) which is the state's advisory body to the Utah Medicaid Program. She said MCAC would like to make recommendations on major building blocks in the Department of Health for next year: (1) restore and make on-going adult dental; (2) increase dental provider reimbursement rates by 10%; (3) restore adult vision funding; (4) fund inflation increase for Medicaid providers by 4.2%. She quoted from a letter written by Dr. Todd Cummings, Chairman of MCAC, which said, "In a year with record surplus, funding programs which provide dental, vision and other basic services should be the prudent thing to do."

Ms. Walsh-McDonald spoke on behalf of the Salt Lake Community Action Program urging funding to expand the CHIP program. She indicated there is a growing need for more CHIP enrollment as fewer employers are offering insurance coverage. This is a good investment for the state dollar and an even better investment for children. The Salt Lake Community Action Program also supports restoring funding for Medicaid adult dental and vision.

Dave Gessel, Vice President, Utah Hospital and Health Systems Association, stated that funding Medicaid inflation is always an important issue. He urged funding an additional 5%. He said the association strongly opposes the consolidation of Department of Health employees to Workforce Services. He said it is a solution looking for a problem. He said he would advocate also for support to expand the CHIP program which would improve the health of the state's children and save future costs.

Bill Barnes from Primary Children's Medical Center stated that children's overall health outcomes are improving but there are many areas of concern where diseases are increasing, including childhood obesity, autism, diabetes and others. He said if you invest in better health for children, you save money as they become more healthy adults. He urged support for expansion of CHIP.

Pamela Atkinson, a community advocate, spoke on behalf of funding for CHIP expansion. She indicated there are

gaps and waiting lists for these uninsured children. When children miss school with illness because they don't see a doctor because of no insurance, their school performance suffers.

Dr. Catherine Wheeler, past president of the Utah Medical Association, asked for funding for an additional 10% for provider reimbursements to give providers the ability to care for Medicaid patients. She said Utah ranks 40th in the nation in reimbursement rates. She indicated 450 providers have disenrolled from Medicaid because of low reimbursement rates and the Utah Medical Association would like to reverse that trend. She distributed a handout.

Stuart Collier, Executive Director, Kids on the Move in North Utah County, said we should be proud of Utah for providing Early Intervention. Continued funding is necessary to continue to provide services in a quality way. He said we have all heard the statement, "Pay now or pay more later," and this is especially true for Early Intervention.

Tandi Cichoski indicated she had a baby with heart problems and felt overwhelmed and hopeless. Early Intervention workers came to her home and then there was hope. She said they not only teach her child but also taught her how to teach. She said she was grateful for this service and hoped funding would continue so other families can receive this needed and valuable service.

Lisa Madsen showed a picture of her son who was born with the flu. She said she wanted to give subcommittee members a family perception of Early Intervention. Her family received physical, speech, and vision therapy for her child and also she was taught coping and teaching skills. She urged further funding.

Susan Gale said she has three children who have all received services from Early Intervention. Her children have autism. She said the family could not pay for these services and as a mother she has struggled, but Early Intervention support gave her help and hope. She said this is a very important program and ask to please allocate the money.

Diana Matkin displayed a picture of her son. She said they noticed he was slower than most at fourteen months and began treatment through Early Intervention at that time. After wonderful therapy, he has caught up with other children his age. His success is a result of these services. She said as a parent she urges support of the Governor's request.

Jenny Simmons said she was informed before her son's birth that he would be born with multiple defects. She said after receiving Early Intervention services, her son made significant improvement. He is still receiving services. She said her son is doing many things she was told he would never do and it is because of Early Intervention that he is able to do so. She distributed a handout.

Eric Sevy introduced his son, William. He distributed a letter that told William's story and outlined the services he has received. William was born three months early and spent the first three and a half months in newborn intensive care. The many complications of this are listed on the letter. He said the Early Intervention program, such as Kids on the Move in Orem, have made it possible for William to receive the therapy he needs. Vision therapy has been especially helpful. He indicated his family does have insurance but it does not cover all the costs.

Mark Elliott, a parent from northern Utah County, stated he has a daughter who has Down Syndrome. She graduated from Early Intervention at age 3 and is now in special education and is looking to be mainstreamed. This was made possible by the services she received from Early Intervention. He said children who received Early Intervention are less of a burden on the health system. He said it has a great impact on families and urged support of the Governor's recommendations.

Dexter Pearce representing Community Health Centers, Inc. said they have four clinics serving both Medicaid and CHIP clients, but more importantly are a safety net for those who have neither of these programs. He asked for approval of the Primary Care Grant to help providers continue to give these needed services to the uninsured.

Dr. Keith Howard, Medical Director, Community Health Centers, Inc., said over the eighteen years he has been involved with community health, the State Primary Care Grant funding has remained flat but costs go up and up. He

indicated that now there are waiting lists and clinics cannot hire new physicians. The state should be interested in funding health centers who supply preventive medicine and disease management.

Lynn Hudgens, Executive Director, Mountainland Community Health Center, stated Mountainland has centers in Provo and Orem that provide family health, dental, and mental health services as a safety net to the uninsured and under insured in Utah County. He said they currently have 10,000 patients of which 74% are uninsured and most of them are of low income. He urged support of the Primary Care Grants program. He stated these dollars are used wisely and well.

Gina Flanagan, Executive Director, Wayne County Community Health Center, indicated the Wayne County Health Center receives a State Primary Grant and has a patient base of about 3,500 people. About half of these patient's are below 200% of poverty level. She urged an increase in provider reimbursements to improve access. She said it doesn't make any difference if you have enough providers if they won't accept Medicaid patients. She also offered support for the loan repayment program to help bring medical services to rural areas.

Ron Faeber said he is a full-time care giver to his wife who has multiple sclerosis and a daughter with multiple handicaps. He said the family is trying to make ends meet on SSI. He said Medicaid health care is a vital component to their lives. He indicated he had an issue with the consolidation of Department of Health and Workforce Services because dealing with a larger government entity can be difficult.

Jerry Costley from the Disable Rights Action Committee said he was here to urge the subcommittee to vote for restoration of vision and dental funding. He said it is short sided to not fund preventative care and then pay later at much higher costs. He urged support for long-term in-home coverage rather than nursing homes at a much higher cost and provider reimbursement increases.

Karen Compton, Executive Director, Voices for Utah Children, distributed a brochure entitled "Utah's CHIP Program: Too Close to Turn Back." She said 100,000 children have benefitted from CHIP and covering children has been successful but there are still another 50,000 who aren't insured. She said the goal is to cover more children and to keep enrollment open. She said kids can't insure themselves and urged support of this important program.

Bill Tibbitts, Director, Anti-Hunger Action Committee, said that many food pantry clients are trying to get by on \$600 per month SSI and some have mental or physical disabilities. Dental coverage is one of their priorities. He indicated there is a difference between a crisis and a problem. Problems can be bad in some ways and can be ignored. A crisis must be acted upon or suffer the consequences. We have a crisis in health care in Utah with the number of uninsured people. He said it is time to make health care a priority.

Darla Ball from the Anti-Hunger Action Committee said we can't go to the doctor or the dentist if needed because we can't afford it. She said to please remember that there are people who need help.

Bill Germundson, Anti-Hunger Action Committee, asked the questions: Have you had a tooth ache? Have you been hungry? Have you had to eat only baby food because of bad teeth? He said if our goal is to make Utah a healthy state. We need to work hard and replace dental and vision coverage.

Faina Raik, Anti-Hunger Action Committee, said she represented people in the Capital Care Complex. She said these tenants could not come to visit because of illness and she told them she would represent their needs. Many of them have dental and vision problems and would like dental and vision care funding restored forever.

Rudy Roca, Anti-Hunger Action Committee, said he hoped the subcommittee would be filled with love and compassion and restore dental and vision for the poor people in Utah so they can go to the dentist and also get glasses when needed. He asked to please restore funding for these services.

Kris Fawson, Legislative Coalition for People with Disabilities, distributed and discussed fact sheets. She said they urge funding for Medicaid utilization/caseload growth and Medicaid inflation. She said the coalition is concerned about access and encourage higher reimbursement for providers. There is great concern with the Medicaid 5% cap as

recommended by the Medicaid Interim Committee. She said no matter where you place the cap, people's needs will not go away.

Cathy Chambless, Legislative Coalition for People with Disabilities, stated an issue with the consolidation of Department of Health and Workforce Services. She said the coalition opposes this and feels it will harm access. The Department of Health has more training and more skills and they feel it will not necessarily save money.

Sonny McCoard, Legislative Coalition for People with Disabilities, said she works for the Center for Independent Living. She distributed a letter from Danny Duncan which contains a history of Danny's life and his concern about dental and vision funding. She stated there is a concern about access, as she is getting more and more phone calls from those not being able to access dental services.

Peggy Larsen from the United Way distributed a letter from the Women's Philanthropic Network urging support of the legislature to increase funding for CHIP. She said that when children are uninsured, the family will postpone small health issues which can then become larger. We should take advantage of all available funds. The \$4.2 million investment would open up 12,300 more spaces for children's coverage which would be a wise investment in the future health and well being of the state.

Dirk Anjewierden, Executive Director, Utah Health Care Association, distributed a handout concerning nursing care facilities. He said nursing homes and long-term care centers are underfunded. He said UHCA is requesting that the legislature authorize the appropriation of \$4.12 million to increase nursing home provider assessments. This would be in addition to the proposed 2.5% general fund inflationary increase. He also urged support to fund the Medicaid adult dental program.

Andrew Riggle from the Utah Health Policy Project said he came to say he shares the subcommittees concern with the rising medical costs and sees it continuing as the aging population increases. This will increase the need for long time health coverage. He distributed a handout which outlined some options for costs savings. He mentioned that two of those savings would be a preferred drug list for Medicaid and funding more home-care services rather than long-term care.

Tom Brownlee an advocate from the Utah Developmental Disabilities Council said we should put people first and asked for funding to restore Medicaid dental and vision services. He said this is very important to people on SSI. He said he wanted to make a difference and advocate, not only for himself, but for all people with disabilities. He distributed his e-mail address to subcommittee members, in case they had questions.

Justin Olsen from Utah Developmental Disabilities Council asked that Medicaid vision and dental funding be restored. He said we need to look beyond Standard Optical as there are also others available. He said he had a dentist appointment for February but received a call from his dentist's office stating that said his dentist could no longer see him because he has no insurance.

Ricki Landers said she was ill put felt it imperative to be here today to urge the Legislature to restore Medicaid dental and vision funding. She said not to call these optional services because they are not optional to those people who need them.

Ted Loosli from the Disabled Rights Action Committee said he represented himself and many, many people who need dental and vision care and urged reinstatement. He said we all know the value of preventative care. Co-Chair Christensen stated he has worked through the years with Mr. Loosli and thanked him for being a great advocate for people with disabilities.

Tom Love, Vice Chairman, United Way, said he would strongly urge fully funding the Governor's recommendation for Medicaid and CHIP. He said this vital service should be made available to all those who need these benefits and we cannot afford to not meet these needs. Rep. McGee asked Mr. Love to make sure he gives this same strong

approach to the Executive Appropriation Committee members, also.

Tina Persels said her son was born early and spent 163 days in the hospital and had 20 surgeries. She was told he would never do anything for himself. Overwhelmed with what to do, Early Intervention came to her home and taught her son and taught her how to take care of him. She said to please fund Early Intervention.

Debbie Grizzle from Crossroad Urban Center said she is being reviewed for Medicaid but her husband, who is mentally ill, did not sign her review and she is having trouble. She urged that Medicaid dental and vision services be restored. She distributed a letter stating the desires of many people from Valley Mental Health who could not come to speak for themselves.

Kenneth Roberts said it was an honor to come before the subcommittee and thanked them for their time and dedication year after year. He said he married last year and when first married his wife's medications cost \$69. Now they cost \$260 with Medicaid and his work insurance. He said every year dental and eye glasses are put on the back burner. He said he would like to be a productive part of society but needs help to do so.

Greg Olsen from the Utah Oral Health Coalition, of which he is chairman, represents most oral health care providers in the state. He said something needs to be done about access. He reported that about 93% of the dentist in the state do not participate in Medicaid and reimbursement must be increased and dental coverage restored to solve this problem.

Dennis Grill said he was here for people who are affected by cutbacks for Medicaid dental and vision coverage. He stated he was in the protection business and as part of his job was injured and became disabled. He said he wants to get on with his life. He thanked the subcommittee for these benefits.

Lynn Larsen Miller from Granite School District spoke in support of increasing the enrollment in CHIP. She also spoke against the consolidation between the Department of Health and Workforce Services. She said she was afraid there we would not have customer service for those people who are the most vulnerable to help them access the help they need.

Dee Rowland from the Catholic Diocese of Utah said it is a sound principle that we should have health care for everyone. She said to be assured that they would seek out Executive Appropriation members with these requests. She said she hoped there would be support for Sen. Christensen's bill on a preferred drug list and the Governor's recommendation for CHIP and try to draw down all available federal funds.

Douglas Cotant said he went to the Moran Eye Center and got new glasses and had to pay \$159.91 out of his own pocket. If Medicaid covered dental and vision, he would not have had to pay. He asked to restore dental and vision services to Medicaid.

Sean Pressey from Utah Issues said preserving and increasing immunizations for our children is the best way to spend money. He said new vaccines are available but are very expensive. The Department of Health is asking for \$1 million to cover the under insured children for immunization. He indicated it would take \$1.7 every year to catch up. We shouldn't have to turn anyone away. Immunizations not only protect the child, but everyone. He urged support for this funding.

Steve Erickson from Utah Issues said he was there to ask for support for CHIP funding and for restoring Medicaid dental coverage. He said he would like to see support also for youth growing out of foster care and Medicaid access. He said it is a priority to go to bat for these programs.

#### **4. Other Committee Business**

Co-Chair Christensen thanked all who came to the meeting and especially those who participated and shared their



stories. He said he was humbled by listening to all these testimonies.

**MOTION:** Rep. McGee moved to adjourn. The motion passed unanimously with Sen. Knudson absent at the time of the vote.

Co-Chair Christensen adjourned the meeting at 5:00 p.m.

Minutes reported by Norda Shepard, Secretary

---

Sen. Allen Christensen, Committee Co-Chair

---

Rep. Merlynn T. Newbold, Committee Co-Chair